

LOS ANGELES POLICE DEPARTMENT

CHARLIE BECK
Chief of Police



ANTONIO R. VILLARAIGOSA
Mayor

P. O. Box 30158
Los Angeles, California 90030
Telephone: (213) 978-2100
TDD: (877) 275-5273
Reference Number: 14.4

December 13, 2012

Mr. Shawn Musgrave
MuckRock News
DEPT MR 2264
Po Box 55819
Boston, MA 02205-5819

Dear Mr. Musgrave:

I have reviewed your requests for copies of Los Angeles Police Department (the Department) records as listed below. Your request was made pursuant to the Freedom of Information Act (FOIA).

Section 551(1) of the FOIA states as follows: "For the purpose of this subchapter--- (1) "agency" means each authority of the Government of the United States, whether or not it is within or subject to review by another agency...." Section 552(f)(1) states as follows: "For purposes of this section, the term--- (1) "agency" as defined by Section 551(1) of this title includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency...." As the Department is not an "authority of the Government of the United States", it is not an agency subject to the provisions of the FOIA. However, the Department is a "local agency" subject to the provisions of the California Public Records Act (the Act), California Government Code Section 6250 et seq., which was modeled upon the FOIA. Therefore, the request set forth in your letter will be considered as one made pursuant to the Act.

The Department is cognizant of its responsibilities under the Act. It recognizes the statutory scheme was enacted in order to maximize citizen access to the workings of government. The Act does not mandate disclosure of all documents within the government's possession. Rather, by specific exemption and reference to other statutes, the Act recognizes that there are boundaries where the public's right to access must be balanced against such weighty considerations as the right of privacy, a right of constitutional dimension under California Constitution, Article 1, Section 1. The law also exempts from disclosure records that are privileged or confidential or otherwise exempt under either express provisions of the Act or pursuant to applicable federal or state law, per Government Code Sections 6254(b); 6254(c); 6254(f); 6254(k); and 6255.

I am responding to your request as follows:

Item No. 1

Any requests for proposals, proposals submitted by vendors, contracts, budgets or cost allocations for the purchase, research of and/or use of aerial drones, UAs, UAVs, and UASs (hereinafter “drones”);

The Department has no records responsive to your request.

Item No. 2

Any policies, guidelines, manuals and/or instructions on use of drones, including on the legal process required (such as a warrant or court order), if any, before operating a drone;

The Department has no records responsive to your request.

Item No. 3

Any records concerning use of drones now or plans to use drones in the future including:

a. The types of investigations or instances in which this institution is using or plans to use drones, or how it plans to support, manage or oversee the usage of drones by another department or office;

b. Policies, guidelines, manuals and/or instructions on storage requirements or procedures for video or static images obtained through use of drones, including retention times;

c. The altitude at which drones can or do fly;

d. Drones’ ability to carry weapons.

The Department has no records responsive to your request.

Mr. Shawn Musgrave

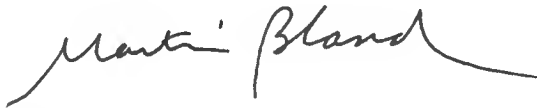
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Any correspondence concerning this matter should include a copy of this letter and be directed to the Los Angeles Police Department, Discovery Section, 201 North Los Angeles Street, Space 301, Los Angeles, California 90012. If you have any questions regarding this correspondence, please contact Detective Lori Barrios of the Discovery Section at (213) 978-2155.

Very truly yours,

CHARLIE BECK
Chief of Police

A handwritten signature in black ink, reading "Martin Bland". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

MARTIN BLAND, Senior Management Analyst
Officer-in-Charge, Discovery Section
Legal Affairs Division